

1 SHANNON L. GUSTAFSON (SBN 228856)
2 sgustafson@lynberg.com
3 AMY R. MARGOLIES (SBN 283471)
4 amargolies@lynberg.com
5 **LYNBERG & WATKINS**
6 A Professional Corporation
7 1100 W. Town & Country Road, Suite #1450
8 Orange, California 92868
9 (714) 937-1010 Telephone
10 (714) 937-1003 Facsimile

11 Attorneys for Defendant, COUNTY OF SAN BERNARDINO,
12 ROBERT VACCARI, and JAKE ADAMS

13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**

CASE NO. 5:22-cv-00949-KK-(SHKx)

Assigned for All Purposes to:
Hon. Kenly K. Kato – Courtroom 3

15 L.C., a minor by and through her
16 guardian *ad litem* Maria Cadena,
17 individually and as successor-in-interest
18 to Hector Mr. Puga; I.H., a minor by
19 and through his guardian *ad litem*
20 Jasmine Hernandez, individually and as
21 successor-in-interest to Hector Mr.
22 Puga; A.L., a minor by and through her
23 guardian *ad litem* Lydia Lopez,
24 individually and as successor-in-interest
25 to Hector Mr. Puga; and ANTONIA
26 SALAS UBALDO, individually,

27 Plaintiffs,

28 vs.

STATE OF CALIFORNIA; COUNTY
OF SAN BERNARDINO; S.S.C., a
nominal defendant; ISIAH KEE;
MICHAEL BLACKWOOD;
BERNARDO RUBALCAVA;
ROBERT VACCARI; JAKE ADAMS;
and DOES 6-10, inclusive,

Defendants.

**DECLARATION OF SHANNON L
GUSTAFSON, ESQ. COUNTY
DEFENDANTS' MOTION IN
LIMINE NO. 2 TO EXCLUDE
TESTIMONY, EVIDENCE,
ARGUMENT REGARDING ROGER
CLARK'S OPINIONS**

Date: May 15, 2025
Time: 9:30 a.m.
Courtroom: 3

Trial Date: June 2, 2025

Complaint filed: 06/07/2022
FAC filed: 10/18/22
SAC filed: 01/13/23
TAC filed: 05/12/23

DECLARATION OF SHANNON L. GUSTAFSON

I, Shannon L. Gustafson, do state and declare as follows:

1. I am an attorney at law duly licensed to practice before this Court and am a shareholder in the law firm of Lynberg & Watkins, P.C., attorneys of record for Defendants County of San Bernardino, Robert Vaccari, and Jake Adams in the above-captioned matter. I have personal knowledge of the facts stated herein, except those stated upon information and believe, and as to those matters, I believe them to be true. If called upon to testify to the matters herein, I could and would competently do so.

2. Attached hereto as Exhibit "A" is a true and correct copy of Roger Clark's expert report.

3. Attached hereto as Exhibit "B" is a true and correct copy of the relevant portions of Roger Clark's deposition.

4. Attached hereto as Exhibit "C" is a true and correct copy of Roger Clark's CV which detail his law enforcement experience.

5. Attached hereto as Exhibit "D" is a true and correct copy of Docket #82 Civil Minute Order regarding Consolidation.

6. Attached hereto as Exhibit "E" is a true and correct copy of the email from Plaintiffs' counsel confirming their position as to the admissibility of Clark Opinions 8-10 involving the Bottens.

7. Attached hereto as Exhibit "F" is a true and correct copy of the relevant portions of Mr. Kimmis' deposition, Plaintiff's retained video analysis expert.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this April 17, 2025, at Orange, California.

/s/Shannon L. Gustafson

Declarant